

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

BRIGHTON TRUSTEES, LLC,
AS TRUSTEE, *et al.*,
Plaintiffs,

v.

GENWORTH LIFE AND ANNUITY
INSURANCE COMPANY,
Defendant.

Civil No. 3:20cv240 (DJN)

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT**

Pursuant to Rule 23 of the Federal Rules of Civil Procedure, Plaintiffs Brighton Trustees, LLC, on behalf of and as trustee for Diamond LS Trust; Bank of Utah, solely as securities intermediary for Diamond LS Trust; and Ronald L. Daubenmier (together, "Plaintiffs"), individually and on behalf of a class of policy owners proposed to be certified for purposes of settlement (the "Settlement Class" or "Class"), respectfully move this Court for an order:

1. Certifying the Settlement Class, appointing Plaintiffs as Class representatives, and Susman Godfrey L.L.P. as Class Counsel.
2. Preliminarily approving the proposed Settlement, plan of allocation, and the form and manner of notice to the Settlement Class.
3. Directing notice to the Class under Rule 23(e)(1).

Plaintiffs have conferred with Defendant Genworth Life & Annuity Insurance Company ("GLAIC") pursuant to Local Rule 7.1, and GLAIC has informed Plaintiffs that it does not oppose the relief sought in this Motion.

Dated: May 9, 2022

Respectfully submitted,

/s/ Kathleen J.L. Holmes

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CERTIFICATE OF SERVICE

I certify that on this 9th day of May 2022, I electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to all counsel of record.

/s/ Kathleen J.L. Holmes

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